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JS-44 (Rev. 6/13 RI)

CIVIL COVER SHEET

I. (a) PLAINTIFFS

C.B., et al

(b) County of Residence of First Listed Plaintiff ____________________
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Michael D. Pushee, Esq., Formisano & Company, 100 Midway Place, Ste. 1, Cranston, RI 02920; 401-944-9691

DEFENDANTS

Town of North Providence, et al

County of Residence of First Listed Defendant ____________________
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

Marc DeSisto, DeSisto Law, 211 Angell St., Providence, RI 02906; 401-272-4442

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Admiralty
- ☐ 120 Marine (Other)
- ☐ 340 Marine(Injury to Seamen)

Admin/Agency Appeals Other
- ☐ 890 Other Statutory Actions (APA Appeals, IDEA Appeals, Other)

Bankruptcy
- ☐ 422 Appeal 28 U.S.C. § 158
- ☐ 423 Withdrawal 28 U.S.C. § 157

Banks and Banking
- ☐ 140 Negotiable Instruments
- ☐ 430 Banks and Banking

Business and Commercial

Anti-trust
- ☐ 410 Anti-Trust

Construction Contracts
- ☐ 130 Miller Act
- ☐ 190 Other Contracts

Securities Law & Stockholder Suits
- ☐ 160 Stockholders' Suits
- ☐ 850 Securities/ Commodities/ Exchange

Other - Business/Comm.
- ☐ 196 Franchise
- ☐ 490 Cable/Satellite TV

Consumer Credit
- ☐ 190 Other Contracts
- ☐ 371 Truth in Lending
- ☐ 480 Consumer Credit

Civil Rights

Constitutional Law
- ☐ 950 Constitutionality of State Statutes
- ☐ 440 Other Civil Rights (Constitutionality of Federal Statues)

Elections and Voting
- ☐ 400 State Reapportionment
- ☐ 441 Voting

Other - Civil Rights
- ☒ 440 Other Civil Rights
- ☐ 443 Housing/ Accommodations
- ☐ 446 Americans with Disabilities
- ☐ 448 Civil Rights- Education

Copyright & Trademark (Intellectual Property)
- ☐ 820 Copyright
- ☐ 840 Trademark

Employment and Employee Benefits

Employment Discrimination
- ☐ 442 Employment
- ☐ 445 Americans with Disabilities- Employment
- ☐ 440 Other -Civil Rights

ERISA
- ☐ 791 Employment Ret. Inc. Security Act

Other Employment Benefits
- ☐ 190 Other - Contract
- ☐ 442 Other - Employment

Environmental Law
- ☐ 893 Environmental Matters

Immigration
- ☐ 462 Naturalization App.
- ☐ 465 Other Immigration Actions

Indian Law
- ☐ 890 Other Statutory Actions

Insurance
- ☐ 110 Insurance Contract

Labor and Occupational Safety
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations Act
- ☐ 740 Railway Labor Act
- ☐ 751 Labor: Family and Medical Leave Act
- ☐ 790 Other Labor Litigation

Miscellaneous Civil Cases
- ☐ 150 Recovery of Overpayment and Enforcement of Judgment (Collections)
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (excluding Veterans)
- ☐ 153 Recovery of Overpayment of Veterans' Benefits
- ☐ 370 Other Fraud
- ☐ 375 Other Statutes: False Claims Act
- ☐ 440 Other Civil Rights (Immigration/Deportation)
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 625 Drug related seizure of property

CONTINUED ON REVERSE SIDE

Miscellaneous Civil Cases Continued
- ☐ 690 Other (Forfeiture/Penalty)
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS-Third Party (26 U.S.C. § 7609)
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 895 Freedom of Information Act
- ☐ 896 Other Statues: Arbitration
- ☐ 899 Other Statutes: Admin. Procedures Act/Review/ Appeal of Agency Decision

Patents (Intellectual Property)
- ☐ 830 Patents

Prisoner Petitions

HABEAS CORPUS
- ☐ 463 Alien Detainee(Habeas)
- ☐ 510 Motions to Vacate Sentence (Habeas)
- ☐ 530 General (Habeas)
- ☐ 535 Death Penalty (Habeas)

OTHER
- ☐ 540 Mandamus and Other
- ☐ 550 Civil Rights (1983)
- ☐ 555 Prison Conditions(1983)
- ☐ 560 Civil Detainee-Cond. of Confinement

Real and Personal Property
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent, Lease and Ejectment
- ☐ 240 Torts to Land
- ☐ 290 All other Real Property
- ☐ 380 Other Personal Property Damage

RICO
- ☐ 470 RICO

Social Security
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

Torts and Personal Injury

Mass Torts
- ☐ 360 Other Personal Injury

Products Liability
- ☐ 195 Contract Product Liability
- ☐ 245 Tort Product Liability
- ☐ 315 Airplane Product Liability
- ☐ 345 Marine Product Liability
- ☐ 355 Motor Vehicle Product Liability
- ☐ 365 Personal Injury Product Liability
- ☐ 385 Property Damage Product Liability

Professional Malpractice
- ☐ 362 Personal Injury - Med. Malpractice

Motor Vehicle Accidents/Slip and Fall
- ☐ 350 Motor Vehicles
- ☐ 360 Other Personal Injury

Other Torts and Personal Injury incl. Asbestos cases
- ☐ 310 Airplane
- ☐ 320 Assault, Libel and Slander
- ☐ 330 Federal Employers' Liability
- ☐ 360 Other Personal Injury (Fed. Tort Claims Act)
- ☐ 360 Other Personal Injury
- ☐ 367 Personal Injury: HealthCare/Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury

V. ORIGIN (Place an "X" In One Box Only)

☐ 1 Original Proceeding	☒ 2 Removed from State Court	☐ 3 Remanded from Appellate Court	☐ 4 Reinstated or Reopened	☐ 5 Transferred from another district (Specify)	☐ 6 Multidistrict Litigation	☐ 7 Appeal to District Judge From Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing **(Do not cite jurisdictional statutes unless diversity)**:

42 U.S.C. Section 1983

Brief description of cause:

Violation of due process under the 14th Amendment

VII. REQUESTED IN COMPLAINT

☐ Check if this is a Class Action Under F.R.C.P. 23

DEMAND $

JURY DEMAND: ☒ Yes ☐ No
(Check YES only if demanded in complaint)

VIII. RELATED CASE(S) IF ANY

JUDGE _______________________________________ DOCKET NUMBER ______________________________

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

August 26, 2014
Date

/s/Marc DeSisto
Signature of Attorney of Record

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
Authority for Civil Cover Sheet

The **JS-44** civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the Cover Sheet.

I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section **II**.

IV. NATURE OF SUIT: Place an X in the appropriate box. Make sure to select the Nature of Suit from the category which best describes the primary cause of action found in your complaint. You must select only one nature of suit.

VIII. RELATED CASES, IF ANY: This section of the JS-44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

FOR OFFICE USE ONLY

Receipt # ____________ Amount ____________ Applying IFP ___________ Judge ______________________ Mag. Judge _________________